



NOTICE OF STAKEHOLDER MEETING

22 TEX. ADMIN. CODE 108.5

Staff of the Texas State Board of Dental Examiners (Board) will convene a stakeholder meeting to provide interested persons an opportunity to address Staff regarding 22 Texas Administrative Code (TAC) Chapter 108, Subchapter A, Rule 108.5, Patient Abandonment.

Rule 108.5 addresses a dentist's responsibilities to a patient upon a dentist's decision to terminate his or her treatment of a patient.

Staff will convene a stakeholder meeting regarding this rule on:

Tuesday, January 26, 2016, at 2:00 p.m.

Tower 3, Room 102

William P. Hobby Jr. Building

333 Guadalupe Street

Austin, Texas, 78701

Stakeholders may also submit informal input by email to stakeholders@tsbde.texas.gov.

Should the Board vote to propose an amendment to Rule 108.5 in the future, the proposal would be published in the *Texas Register* for a formal public comment period.

Persons who have special communication or other accommodation needs who are planning to attend the stakeholder meeting should contact Cristabel Bodden, at cbodden@tsbde.texas.gov or (512) 305-9332. Arrangements should be made as far in advance as possible.

Texas Administrative Code

[TITLE 22](#)

EXAMINING BOARDS

[PART 5](#)

STATE BOARD OF DENTAL EXAMINERS

[CHAPTER 108](#)

PROFESSIONAL CONDUCT

[SUBCHAPTER A](#)

PROFESSIONAL RESPONSIBILITY

RULE §108.5

Patient Abandonment

(a) A dentist, without reasonable cause, shall not abandon a dental patient. Once a dentist has undertaken a course of treatment, the dentist, absent reasonable cause, shall not discontinue that treatment without giving the patient adequate notice and the opportunity to obtain the services of another dentist. A dentist shall exercise the level of care necessary to prevent jeopardizing the patient's oral health during this process.

(b) Under this section, a dentist shall give a minimum of 30 days written notice of his/her intent to discontinue undertaken treatment. Notice shall be either hand-delivered to the patient or sent via certified mail, return receipt requested to the patient's last known address, with the dentist retaining a copy of the notice letter in the patient's file along with proof of service. Adequate notice shall include the following:

- (1) a short description of the patient's current status, including the patient's current diagnosis and a summary of the patient's current treatment plan;
- (2) a short description of the patient's present and future needs;
- (3) an explanation regarding the consequences of non-treatment;
- (4) a recommendation that the patient continue care with another dentist; and
- (5) a clear statement emphasizing that the dentist is available to provide any emergency treatment necessary to prevent patient harm during the 30-day period.

(c) A dentist shall remain reasonably available to render any emergency treatment necessary under (b) (5) of this section for up to 30 days from the date of such notice.

Source Note: The provisions of this §108.5 adopted to be effective February 20, 2001, 26 TexReg 1494; amended to be effective April 14, 2002, 27 TexReg 2826

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